

Docket No. 71030-001

Remarks

In the non-final Office Action mailed on 20 May 2005, the Examiner objected to the title of the application and objected to claim 6 due to a clear phrasing error. The Examiner also rejected claims 1 and 8-11 under 35 U.S.C. §103 as unpatentable over Jaros (United States Patent Number 6,877,656), rejected claims 2-3 and 12-15 under §103 as unpatentable over Jaros in view of Warwick (United States Patent Number 5,266,781), rejected claims 4-5 under §103 as unpatentable over Jaros in view of Chari (United States Patent Number 6,134,614), and rejected claims 6-7 under §103 as unpatentable over Jaros in view of Chari and further in view of Warwick.

Claim 6 has been amended in response to the Examiner's objection thereto. Applicant traverses the Examiner's objection to the title and the rejection of all claims. Applicant respectfully requests reconsideration and withdrawal of all outstanding objections and rejections.

Objection to the Title

The Examiner objected to the title suggesting it is non-descriptive. The Examiner suggests that the title be amended as follows (emphasis added): "SYSTEMS AND METHODS FOR AN ENTERPRISE BASED ISSUANCE OF ~~IDENTIFICATION~~ FINANCIAL CARDS". Applicant respectfully disagrees with the Examiner's proposed amendment to the title. First, insertion of the word "an" as suggested by the Examiner is simply grammatically incorrect. Second, changing the word "identification" to "financial" improperly narrows the description of the nature of the invention. The claims and the specification of this patent application make clear that the claimed invention is for issuance of many forms of identification cards. Financial cards are but one common example of the types of identification cards that may be issued by the claimed and disclosed systems and methods.

In view of the above discussion, Applicant respectfully submits that the title as filed is properly descriptive of the nature of the invention and requests reconsideration and withdrawal of the objection thereto.

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Objection to Claim 6

The Examiner objected to claim 6 due to a mis-statement in the first element. The Examiner correctly noted that in the first recited element of claim 6, the phrase "requests are selectively entered into said card issuance production queue" should properly read (emphasis added): "requests are selectively entered into said card issuance **production component** queue". The error was unintended and the modification proposed by the Examiner is both correct and consistent with the supporting specification. Applicant has amended claim 6 in accordance with the Examiner's helpful suggestion and respectfully requests reconsideration and withdrawal of the objection thereto.

§103 Rejections

The Examiner rejected all claims (1-15) over Jaros alone or over Jaros in various combinations with other art of record. In sum, the rejection of all claims is founded upon the teachings of Jaros.

The inventor has submitted herewith a declaration under 37 C.F.R. §1.131 evidencing conception and reduction to practice of the invention as claimed prior to the priority date of Jaros and diligence from that time until filing of this patent application (i.e., swearing behind the reference). In view of the §131 declaration by the inventor, the reference is removed as potential prior art and the similarities or differences between the rejected claims and the teachings of Jaros need not be further analyzed or discussed.

Noteworthy in the teachings of Jaros is its reference to the CardWizard® Enterprise system from Dynamic Solutions international ("DSI") at column 5, lines 43-46 and again at column 7, lines 51-54. The CardWizard® Enterprise system from DSI referenced by Jaros is precisely the product development that led to filing of this patent application. DSI is the assignee of record for this patent application. The CardWizard® product from DSI that preceded the Enterprise version is discussed in the background section of this patent application. The limitations of that product gave rise to the Enterprise version that is the subject of this patent application (as disclosed and as claimed). The discussion by Jaros of the CardWizard Enterprise version further evidences

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the conception and reduction to practice of the claimed invention of this patent application (the CardWizard® Enterprise version) prior to filing of the Jaros patent.

Also of note is that the assignee on the face of the Jaros patent is Capital One. Capital One has been a potential customer of DSI's. Early information regarding the Enterprise version was provided to Capital One under non-disclosure agreements executed prior to filing of this patent application and just prior to Capital One's filing of the Jaros patent. Any possible dispute between Capital One and DSI (assignee of record for this patent application) regarding such early disclosures is not relevant to this response. However, the historical relationship and timing of disclosures by DSI to Capital One prior to filing of either patent provides still further evidence of conception and reduction to practice of the invention as claimed in this patent application.

In view of the inventors §1.131 declaration and in view of the supporting circumstances recited in the Jaros patent assigned to Capital One, Applicant respectfully submits that Jaros has been removed as a proper prior art reference and thus the rejection should be withdrawn for all claims 1-15.

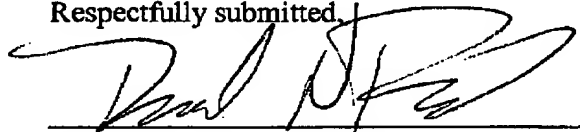
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Conclusion

Applicant has amended claim 6 to overcome the Examiner's objection thereto. Applicant traverses the Examiner's objection to the title and traverses the Examiner's rejection of all claims (1-15) under §103. Inventor has submitted a declaration under 37 C.F.R. §1.131 to remove the primary reference (Jaros) as prior art thus making all claims allowable over the remaining art of record (considered individually or in any combination).

Applicant hereby petitions for a one (1) month extension of time to respond to the office action of 20 May 2005 and has submitted the requisite fee herewith. Applicant believes no other fees are due in this matter. Should any issues remain, the Examiner is encouraged to telephone the undersigned attorney.

Respectfully submitted,



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